



did not submit a proposed pretrial order, nor did they seek an extension of time to file such order.

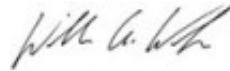
Local Civil Rule 16.1(d)(4) provides that “[c]ounsel for all parties shall be responsible for preparing the final pretrial order and presenting it to the court properly signed by all counsel at a time designated by the court.” Failure to provide a pretrial order “may result in sanctions being imposed against all parties to the action.” *Id.* Moreover, “[c]ounsel shall be fully prepared to present to the court all information and documentation necessary for completion of the pretrial order. Failure to do so shall result in the sanctions provided by this local rule.” Local Civil Rule 16.1(d)(2). Finally, “[f]ailure to comply with the provisions of Local Civil Rule 16.1(d)(2) may result in the imposition of a monetary fine not to exceed \$250.00 against the offending counsel and may result in any other sanction allowable by the Federal Rules of Civil Procedure against the parties or their counsel.” Local Civil Rule 16.1(d)(3).

Here, by failing to submit a proposed pretrial order, and by failing to seek an extension of time for filing a pretrial order, counsel for the parties have failed to discharge their obligations under Local Rule 16.1 and are therefore subject to sanctions. Accordingly, the following attorneys, as counsel for the parties, are hereby ORDERED to appear for hearing on Thursday, March 28, 2013 at 9:00 a.m. in the Sixth Floor Courtroom of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina and SHOW CAUSE why they should not be sanctioned:

Daniel S. Schwei, U.S. Dept. of Justice, Civil Division  
Seth Morgan Wood, U.S. Attorney's Office, Eastern District of North Carolina  
Jeremy M. Wilson, Ward and Smith, P.A.  
Thomas S. Babel, Ward and Smith, P.A.

For the purpose of further adjudication of this matter, the Clerk of Court is hereby DIRECTED to open a miscellaneous case captioned "In re: Daniel S. Schwei, Seth Morgan Wood, Jeremy M. Wilson, and Thomas S. Babel." Any motions in the miscellaneous case should be referred to the undersigned.

DONE AND ORDERED in Chambers at Raleigh, North Carolina on Tuesday, March 19, 2013.



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WILLIAM A. WEBB  
UNITED STATES MAGISTRATE JUDGE